

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

ANNIE LAURIE GAYLOR; DAN BARKER; IAN GAYLOR, Personal Representative of the Estate of ANNE NICOL GAYLOR; and FREEDOM FROM RELIGION FOUNDATION, INC.,

Plaintiffs,

v.

STEVEN MNUCHIN, Secretary of the United States Department of Treasury; DAVID J. KAUTTER, Acting Commissioner of the Internal Revenue Service; and the UNITED STATES OF AMERICA,

Defendants,¹

and

EDWARD PEECHER; CHRIS BUTLER; CHICAGO EMBASSY CHURCH; PATRICK MALONE; HOLY CROSS ANGLICAN CHURCH; and the DIOCESE OF CHICAGO AND MID-AMERICA OF THE RUSSIAN ORTHODOX CHURCH OUTSIDE OF RUSSIA,

Intervenor-Defendants.

Case No. 16-CV-215

NOTICE OF APPEAL

Notice is hereby given that Intervenor-Defendants Edward Peecher, Chris Butler,

¹ In accordance with Fed. R. Civ. P. 25(d), Plaintiffs have substituted David J. Kautter, the current Acting Commissioner of the Internal Revenue Service, for John Koskinen.

Chicago Embassy Church, Patrick Malone, Holy Cross Anglican Church, and the Diocese of Chicago and Mid-America of the Russian Orthodox Church outside of Russia hereby appeal to the United States Court of Appeals for the Seventh Circuit from the final judgment entered in favor of Plaintiffs and dismissing the case on December 15, 2017 (Dkt. 96), from the order declaring 26 U.S.C. § 107(2) unconstitutional and enjoining Defendants from enforcing it entered on December 13, 2017 (Dkt. 95), and from the order denying Defendants' motions for summary judgment and granting summary judgment to Plaintiffs on the Court's own motion entered on October 6, 2017 (Dkt. 87).

Respectfully submitted,

/s/ Luke W. Goodrich
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Dated: February 8, 2018

Counsel for Intervenor-Defendants

CERTIFICATE OF SERVICE

I certify that on February 8, 2018, the foregoing notice of appeal was served on counsel for all parties by means of the Court's ECF system.

/s/ Luke W. Goodrich

Luke W. Goodrich